

CERTIFIED MAIL#

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FILED

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

2018 JUL 3 P 1:07

U.S. DISTRICT COURT
EASTERN DIST. TENN.

DEPT. CLERK

UNITED STATES OF AMERICA

v.

CASE No. 3:18-CR-19-PLR-DC

MARILYN YETTE COOK

AFFIDAVIT OF TRUTH

The affiant has personal knowledge and belief of the facts stated herein; and all the facts stated herein are true, accurate and complete in reference to Case No. 3:18-CR-19-PLR-DCP. This declaration of facts is based on affiant's own firsthand knowledge and belief, does solemnly swear and depose that affiant is competent to state the matters set forth herein.

1. I, Marilyn Powell Cook, have learned that the alleged Court that has scheduled a Case / Cause / Claim against me is not really a Court as per Article III of the Constitution of the United States,

but, rather a tribunal operated as a private Corporation apparently under the delegated Authority granted by the Corporate Constitution For the United States at Article I, Section 8, Clause 9. I have also learned that the Charges are Commercial as clearly defined in the Code of Federal Regulations 27 CFR 72.11.

2. on February 21, 2018 the U.S Assistant Attorney Frank M. Dale Jr. leveled a Criminal Charge with the U.S. Clerk of Court against the Cestui Que Trust using the all Caps Name as it appears on the short Tennessee Birth Certificate MARILYN VUETTE POWELL and 3 Derivatives thereof, each time the strawman's Name is spelled in a slightly different way in the complaining presentment, a different trust is/was created; (Constructive trusts)

1. MARILYN VUETTE Cook
2. MARILYN SUNSET
3. MARILYN ARINZE ("Cook")

3. The use of Capital letters is dictated by the U.S printing Style Manual which explains how to identify a Corporation

And according to Title 26, Sec. 30 and Sec. 7701, Corporations, Companies, Associations and trusts are all decedents which means the all Capital Letter name is a legal estate.

4. All Cases are Civil though often called Criminal in Article I Court, the Courts are operating under trust law, assuming the defendant is a decedent. After finding the alleged defendant guilty, the Court Clerk fills out a Depository Resolution Agreement, since the defendant is a decedent, the Court officials consider themselves as the beneficiary.

5. The U.S. Clerk of Court, who is the Administrator of the Court's Trust appoints the Judge or Judges as trustee/trustees for the trusts.

6. Since the Clerk of Court nor the Judge or Judges cannot be the beneficiaries that leaves me as the beneficiary.

7. The Law of trusts dictates that an

Administrator, trustee and beneficiary
Cannot serve two positions in a trust so
an administrator and trustee CANNOT be
a beneficiary.

8. As the Beneficiary / Creditor I Can:

1. Instruct the trustee / trustees to discharge this entire matter with prejudice and award the penalties for these crimes to be paid to me in compensation and damages for my false arrest.
2. Demand the bond be immediately brought forward so I can see who will indemnify me for damages I have suffered.
3. Demand a copy of the Depository Resolution Agreement from the Clerk of Court and W-9s from the Judges and the Assistant Attorney for the United States of America.
4. Demand all funds from the Cases (current and past) be sent to me within 30 days or file Complaints to the IRS and SEC explaining the fraud and theft committed upon me and issue a 1099 OID.
5. Do a Conditional Acceptance and require the U.S. to prove it has a Claim, when it is in receivership and Cannot have a Valid Claim against me without my permission.
6. Do an all-out - Acceptance.

9. I chose H.C. In good faith I had/have faith the U.S. will honor its debts. I have tried to stay in honor despite the very horrible circumstances in the Knox Co. jail, while taking on the obligations of the trust by using my exemption (Credit) as surety for the trust. It has not been easy, especially with the Defendant Court Appointed Attorneys refusing to follow my instructions.

1. On April 9, 2018 I requested attorney Reno Cole request an appearance bond and informed him I had put a Notice of Acceptance in the Mail and he needed to have a Notary Public mail it via Certified mail or hand deliver it to Frank M. Pale Jr., he did not.

2. On April 24, 2018 I prepared another Notice of Acceptance and mailed it out along with the presentment Attorney Reno Cole returned to me at the Knox Co. jail, to Notary Public Angel Paschal. I also mailed her a Credit Authorization (Bill of Exchange) with instructions

3. On May 1, 2018 Notary Public Angel Paschal mailed Frank M. Pale Jr. via Certified Mail #7017 1450 0002 0884 9873, Notice of Acceptance along with the presentment Attorney Reno Cole returned on 5/24/18 and a Credit Authorization (Bill of Exchange)

With instructions to use to settle the Court Accounting.

4. Mailed a Letter of Credit to the U.S. Treasury.

5. Requested a Certified Copy of the Judge's oath of Office and a Certified Copy of their Bonds.

6. After the refusal of the Certified Copies of the Judge's oath of office and ~~a~~ Certified Copies of their Bonds, I mailed Notice of My Acceptance by private mailing to Judge Reeves and mailed Judge Poplin via Certified mail, Copies of the Notice of Acceptance to Judge Reeves.

7. I mailed Notice of Acceptance on the public side to the U.S. Clerk of Court.

8. I requested a copy of the other Appointing Attorney Rono Cole, Attorney for the Defendant. He never received a copy of the order, so I mailed him a letter of instructions without the order.

9. I requested attorney Rono Cole review the file for a bond. He did not.

10. Requested an Associate to review the case file for bonds. He did, and there was no bond so I bonded the case, just in case I have to remove the case.
11. On May 1, 2018 attorney Reno Cole filed a motion to withdraw from case # 3:18-CR-19 after dishonoring me by not following my instructions.
12. On May 9, 2018 Judge Shirley appointed the defendant a "Standby Attorney" Robert K. Kuty. Judge Poplin signed the order.
13. After receiving the order appointing the defendant a new attorney, I mailed Notary Public Angel Paschal the letter of instructions along with the accepted per value order, signed by Judge Poplin.
14. Attorney Robert R. Kuty has dishonored me by not following my instructions.
15. On June 6, 2018, I requested he file a Mandatory Judicial Notice of his refusal with the Court. Again he refused to follow my instructions.
16. He files a Motion to review Appointment

of Counsel, which is prima facie evidence of Mr. Kuntz dishonoring me by not following my instructions.

17. On June 14, 2018 instead of Judge Shirley addressing the points in the Motion to Review Appointment of Counsel, she ordered a mental evaluation because Frank M. Pale requested it.

1. Frank M. Pale Jr. is in dishonor, he defaulted on his duty to respond.

2. There is an Agreement of the parties.

3. To date Judge Reeves, Poplin nor Shirley have produced a Certified copy of their oath of office nor their bonds; Neither have they dismissed the charges by discharging the bond to the defendant. (See Attachment #1 Bond to Discharge)

18. Again I am not the defendant. I took on the obligations of the trust by using my exemption as surety for the trust.

19. After many years of suffering at the hands of a former U.S. District Court Clerk, I have learned of the fraud that goes on behind the scenes of

these alleged Criminal Cases/penal Actions which are really Civil Claims in equity, and the steps taken to securitizing these Civil Claims. Again in good faith I had/have faith the U.S will honor its debts. There is no money. None on the private side and none on the public side, except for my Credit. The only substance I have on the public side is my Exemption, which equates to Credit in Admiralty and equity.

20. I have never pledged my rights nor my body to any gifting program Inc, including any Court process.

I am hereby letting this Article I Court Know, I'm opting out of my Contract and do not Authorize any documents regarding me or my Cestui que trust to be securitized and sold to any investor etc.

(SEE #2 AFFIDAVIT OF RESCISSION)

21. I hereby give Notice that I am the executor of the Cestui que trust. I direct all my affairs and financial affairs. I demand this Case/Account to be Closed and no further steps be taken to securitize it, or I will demand funds from the Cases (Current and past) and I will file Complaints to the IRS and SEC and issue 1099 OTDS.

22. I demand my body be released from Knox Co. Jail.

23. I demand the Court notify local Agents and Agencies, especially Alcoa Police Department Sgt. Kirk Sanders, to put me on a do not disturb list so we do not have to go through this again.

24. I demand my name Marilyn Yvette Cook and my Cestui que trust name MARILYN YVETTE BUELL, AKA MARILYN YVETTE COOK AKA MARILYN SUNSET AKA MARILYN ARINZE ("Cook") and any derivative thereof be removed from any and all government data bases or indicating bad Credit, Commercial Liens and/or the titles of Criminal felon, and/or Convicted felon be removed immediately and permanently, Nunc Pro Tunc, Proterea Proterea.

25. I am Confident that the United States District Court, Eastern District of Tennessee at Knoxville and its officers want to follow the Law and perhaps were unaware of the process of Criminal Cases.

25. I expect no further harassment from ~~Rouge~~
Unregistered Agents.

Any Man as well as any Woman who intends to
rebut this Affidavit shall do so in the manner of
this Affidavit. Using Christian name, Baptismal name,
Name given at birth Marilyn Xvette Cook, in Upper-Lower
Case format, not set in all Capital letters.

Affiant, a living breathing, flesh-and-blood Woman,
being fully liable and responsible for everything
such a woman says and does, do swear and
Affirm on Affiant's Own Unlimited Commercial
Liability, that Affiant has scribed and read the foregoing
facts contained in this Affidavit and in accordance
with the best of Affiant's first-hand-knowledge and
conviction, such are true, accurate, and complete,
not misleading, the truth and nothing but the truth.

Respectfully Submitted by order of MARILYN XVETTE Cook.

By: Marilyn Powell Cook
Creditor / Private Banker
Authorizes Representative
of MARILYN XVETTE Cook
6/27/18

TENNESSEE }
KNOX County }

On this 27th day of June, ²⁰¹⁸
I Angel Paschal a Notary Public for the County
of Knox, State of Tennessee noted above, did upon
proper identification (Knox Co. Jail I.D./Known
personally) by Marilyn Powell Cook received her
oath sworn and subscribed, did witness her
signature on the foregoing Affidavit of Guilt.

Angel Paschal
Notary Public



11-09-2019
My Commission
Expires

Service

A Copy of the foregoing was mailed
by First Class Mail on this 2nd
day of July, 2018 to:

UNITED STATES OF AMERICA
U.S. Assistant Attorney
FRANK M. DALE JR.
800 MARKET ST. Ste 211
Knoxville, TN 37902

ATTORNEY ROBERT K. KURTZ
422 S. Gay St. Ste 301
Knoxville, TN 37902

(over)

On 6/20/18 Knox Co. Jail refused to provide me with a Notary. I was forced to mail Affidavit of Smith without Notary signature.

I prepared a Certificate of Service and mailed the original to the U.S. Clerk of Court, and a handwritten copy to U.S. Attorney Frank M. Dale. Knox Co. Jail refuse to Make Copies.

The Affidavit of Smith is Null and Void ^{dated 6/20/18} because it wasn't signed in front of a Notary, nor two witnesses.

The attached Affidavit of Smith has been signed in front of Notary Public Angel Paschal Wes. June 27, 2018.



By: Marilyn Powell Cook
Creditor/Private Banker
Authorized Representative
of MARILYN YUETTE Cook

Attachment #1
3:18-CR-19-PLR-DCP

COPY

Certified Mail# 7017 1450 0001 6116 9070
Marilyn Yvette Cook
c/o 108 West Newcomen Street
Alcoa, Tennessee
non domestic without the US

Date: 06/21/2018

Ref: Marilyn Yvette Cook 408153807
Case# 3:18-CR-19-PLR-DCP

Internal Revenue Service
Attn: JOHN KOSKINEN
BOX 480
Holtsville, New York 11742-0480

Bond to discharge attachment for debt
Via Pass-through Account Marilyn Yvette Cook 408153807

Credit to: Steven Mnuchin, the Secretary of the US Treasury and to JOHN KOSKINEN
Revenue Agent for the Internal Revenue Service the amount to be provided by UNITED STATES
OF AMERICA . (\$.00) US dollars.

I, Marilyn Yvette Cook, principal, surety, creditor is held and bound to effect payment to Steven Mnuchin, the Secretary of the US Treasury and to JOHN KOSKINEN Revenue Agent for the Internal Revenue Service the amount of to be provided by UNITED STATES OF AMERICA (\$.00) US dollars unless the pass-through account Marilyn Yvette Cook 408153807 shall satisfy any judgment which may be recovered against said pass-through account by Steven Mnuchin, the Secretary of the US Treasury and JOHN KOSKINEN Revenue Agent for the Internal Revenue Service in attachment the said to be provided by UNITED STATES OF AMERICA for (\$.00) US dollars for the discharge of said Claim stated Case# 3:18-CR-19-PLR-DCP dated 02/21/18.

Bond Order

Negotiate this item through the back office for settlement via the pass-through account Marilyn Yvette Cook 408153807 at the Treasury window, Department of Treasury 1500 Pennsylvania Avenue NW, Washington D. C. 20220, for settlement and adjustment of UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE CASE# 3:18-CR-19-PLR-DCP Date 06/21/18.

A dishonor of the above bond is violation of the national bankruptcy.

By: Marilyn Powell Cook
Marilyn Powell Cook

Cc: John L. Medearis, Clerk of U.S. District Court
Eastern District Of Tennessee at Knoxville
800 Market Street, Suite 311
Knoxville, TN 37902

Cc: USA Attorney Frank M. Dale Jr., Assistant
800 Market Street, Suite 211
Knoxville, TN 37902

Cc: Attorney Robert R. Kurtz
422 S. Gay Street, Suite 300-301
Knoxville, TN 37902

Attachment #1
3:18-CR-19-PLR-DCP

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Alcoa, Tennessee
non domestic without the US

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KOSKINEN Revenue Agent for the Internal Revenue Service in attachment the said to be provided by
UNITED STATES OF AMERICA for (\$.00) US
dollars for the discharge of said Claim stated Case# 3:18-CR-19-PLR-DCP dated 02/21/18.

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800 Market Street, Suite 211
Knoxville, TN 37902

Cc: Attorney Robert R. Kurtz
422 S. Gay Street, Suite 300-301
Knoxville, TN 37902

PREPARED By: Marilyn Cook 108W. Newcomen St Alcoa, TN 37701

After Recording Return to:)
 MARILYN YVETTE POWELL TR)
 care of: 312 ROSA PARKS AVE)
 NASHVILLE, TENNESSEE [37243])
 (604) 604-2837)

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

AFFIDAVIT OF RESCISSION
MARILYN YVETTE POWELL
DATED OCTOBER 21, 2016,

I, Powell El, Marilyn rescind any and all prior endorsements, front and back, decline any and all offers to contract and reserve the right to reject all offers and bids, and do not concede to any presumptions of law, with the parties: US, UNITED STATES, USA, WASHINGTON, D.C., STATE OF TENNESSEE, STATE OF TENNESSEE, COUNTY OF BLOUNT etc.,

1. I deny being liable or responsible for the errors and omissions of any offeror, partner of offeror, or their agents on behalf of the MARILYN YVETTE POWELL agency / instrumentality of the United States;

2. I make this rescission voluntarily and without prejudice, on the grounds of fraud, misrepresentation, and concealment of material facts regarding the underlying financial transactions and the financial undertakings for the MARILYN YVETTE POWELL, 408-15-XXXXXX

3. I further make this rescission on the grounds that the responding parties through their agents have concealed information regarding my rights and entitlement over property that they are holding in trust, under the administrative MARILYN YVETTE POWELL agency / instrumentality of the United States.

4. I deny that I received full disclosure regarding the underlying financial assets, financial undertakings, and accounting of interest to which I have affixed my signature under influence of duress and coercion of the perpetrators of the fraud against the estate;

5. I have reason to know that agents doing the business on the estate through the MARILYN YVETTE POWELL agency / instrumentality of the United States, have misrepresented the character and legal status of the *ens legis* and are concealing material facts, regarding the underlying financial transactions in such a way to deprive me of my interest and title in property and rights;

6. I rescind and reject any contract with the above parties on the grounds that consent was not and is not, free, mutual, or communicated bilaterally to each party, whereas the construction of a contract occurred before I obtained the age of majority and wherein I have yet to receive full disclosure regarding the terms conditions, reciprocity requirements, undisclosed governing laws, principles and doctrines;

7. I deny that I ever intended to forfeit rights and freedoms, to receive a benefit, wherein I became obligated to perform on obligations charged against my estate, secured by my body, and any such consent shall be deemed for the record an issue under duress, threat and coercion;

8. I reject all benefits and liabilities stemming from previous contract(s) with the addressees, rendering null and void all contracts with the addressees whether express or implied. Explicitly, exclusively and expressly reserving ALL Rights and Liberties "without prejudice" U.C.C. 1-207/1-308.

[Thumb - Print]

By:

Marilyn-Yvette Cook Sui Juris

WITNESSES

We the undersigned Witnesses hereby stand and attest that the fore-signed, signed this document on the date listed supra, of their own free will, as witnessed by our signatures below:

By: Shereef - Ayesha
 c/o 148 West Newcomen Street
 Alcoa, Tennessee 37701

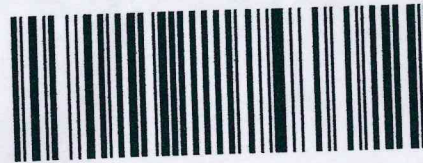
By: Paschal - Angel Yevetta
 1865 Falling Waters Road
 Knoxville, Tennessee 37922

Phyllis Lee Crisp, Register
 Blount County Tennessee

Rec #: 502694
 Rec'd: 10.00 Instrument #: 780151
 State: 0.00
 Clerk: 0.00
 Total: 12.00
 Record Book 2454-Pgs-2637-2637

Angel Paschal
c/o P.O. Box 30711
Knoxville Tennessee 37930-0711

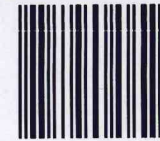
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37902

U.S. POSTAGE
PAID
LOUISVILLE, TN
37777
JUL 02, 18
AMOUNT

\$4.87

R2305M143616-

John L. Medearis, Clerk of U.S. District Court
800 Market St., Ste 311
Knoxville, TN 37902

RECEIVED

JUL 02 2018

Clerk, U. S. District Court
Eastern District of Tennessee
At Knoxville

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